

## State Water Resources Control Board

### DRAFT REVIEW SUMMARY REPORT – CLOSURE PRELIMINARY REVIEW – AUGUST 2014

#### Agency Information

Agency Name: County of Santa Clara Department of Environmental Health (County)	Address: 1555 Berger Drive, Suite 300 San Jose, CA 95112-2716
Agency Caseworker: Gerald O'Regan	Case No.: 07S1E02P02f

#### Case Information

USTCF Claim No.: 2785	GeoTracker Global ID: T0608501134
Site Name: Rotten Robbie #11	Site Address: 2305 Story Road San Jose, CA 95122
Responsible Party: Robinson Oil Corp. Attn: Thomas Robinson	Address: 955 Martin Avenue Santa Clara, CA 95050
USTCF Expenditures to Date: \$947,474	Number of Years Case Open: 26

To view all public documents for this case available on GeoTracker use the following URL.

URL: [http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0608501134](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0608501134)

#### Summary

The Low-Threat Underground Storage Tank (UST) Case Closure Policy (Policy) contains general and media-specific criteria, and cases that meet those criteria are appropriate for closure pursuant to the Policy. This case meets all of the required criteria of the Policy.

Highlights of the case follow:

This case is an active commercial petroleum fueling facility. An unauthorized release was reported in March 1988 following the removal of one 300 gallon waste oil UST. Five additional USTs were removed and replaced at the Site in May 1991. An unknown volume of contaminated soil was excavated to a maximum depth of approximately 11 feet below ground surface (bgs). Soil contamination was reported at the Site in 2000 in conjunction with product piping replacement activities. Dual phase extraction was conducted intermittently between April 2003 and March 2008, which removed 2,970 pounds of total petroleum hydrocarbons as gasoline (TPHg) and 457,000 gallons of contaminated groundwater. Active remediation has not been conducted at the Site for the past six years. Since 1988, 12 groundwater monitoring wells and eight extraction wells have been installed and intermittently monitored. According to groundwater data, water quality objectives have been achieved or nearly achieved for all constituents except benzene and methyl tert-butyl ether (MTBE) in wells GX-160C and GX-160F.

The petroleum release is limited to the soil and shallow groundwater. According to data available in GeoTracker, there are no public water supply wells or surface water bodies within 1,000 feet of the defined plume boundary. No other water supply wells have been identified within 1,000 feet of the defined plume boundary in files reviewed. The unauthorized release is located within the service area of a public water system, as defined in the Policy. The affected

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

shallow groundwater is not currently being used as a source of drinking water, and it is highly unlikely that the affected shallow groundwater will be used as a source of drinking water in the foreseeable future. Other designated beneficial uses of impacted groundwater are not threatened, and it is highly unlikely that they will be, considering these factors in the context of the site setting. Remaining petroleum hydrocarbon constituents are limited and stable, and concentrations are decreasing. Corrective actions have been implemented and additional corrective actions are not necessary. Any remaining petroleum hydrocarbon constituents do not pose a significant risk to human health, safety or the environment.

#### **Rationale for Closure under the Policy**

- **General Criteria:** The case meets all eight Policy general criteria.
- **Groundwater Specific Criteria:** The case meets Policy Criterion 1 by Class 2. The contaminant plume that exceeds water quality objectives is less than 250 feet in length. There is no free product. The nearest water supply well or surface water body is greater than 1,000 feet from the defined plume boundary. The dissolved concentration of benzene is less than 3,000 micrograms per liter ( $\mu\text{g/L}$ ) and the dissolved concentration of MTBE is less than 1,000  $\mu\text{g/L}$ .
- **Vapor Intrusion to Indoor Air:** Onsite, the case meets the Policy Exclusion for Active Station. Soil vapor evaluation is not required because the Site is an active commercial petroleum fueling facility and the release characteristics do not pose an unacceptable health risk. Offsite, the case meets Policy Criterion 2a by Scenario 3a. The maximum benzene concentration in groundwater is less than 100  $\mu\text{g/L}$ . The minimum depth to groundwater is greater than 5 feet, overlain by soil containing less than 100 milligrams per kilogram ( $\text{mg/kg}$ ) of TPH.
- **Direct Contact and Outdoor Air Exposure:** The case meets Policy Criterion 3a. Maximum concentrations in soil are less than those in Policy Table 1 for Commercial/Industrial use, and the concentration limits for a Utility Worker are not exceeded.

#### **Objections to Closure and Responses**

According to the Path to Closure page in GeoTracker, finalized on April 16, 2014, the County objects to UST case closure because:

- **Inadequate conceptual site model.**  
**RESPONSE:** Adequate data is available in GeoTracker to develop a conceptual site model as defined by the Policy.
- **Secondary source remains.**  
**RESPONSE:** Secondary source as defined by the Policy was removed by excavation and active remediation.
- **The case does not meet Policy groundwater criteria.**  
**RESPONSE:** The case meets Policy Criterion 1 by Class 2.
- **The case does not meet Policy vapor criteria.**  
**RESPONSE:** The case meets the Policy Exclusion for Active Station.
- **The case does not meet Policy direct contact criteria.**  
**RESPONSE:** This case meets Policy Criterion 3a.

A County letter dated June 16, 2014 also required a full definition of the 1,2 dichloroethane (DCA) groundwater plume.

**RESPONSE:** The June 30, 2014 sampling event has fully defined the 1,2 DCA plume.

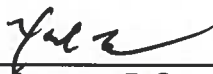
August 2014


### Determination

The Fund Manager has notified the tank owners or operators and reviewed the case history of their tank case. The Fund Manager determines that closure of the tank case is appropriate based upon that review. The Fund Manager has prepared this review summary report summarizing the reasons for this determination, provided the Review Summary Report to the applicable Regional Water Board and Local Oversight Agency Program, as appropriate, with an opportunity for comment on the Review Summary Report.

Pursuant to Health and Safety Code as of the date of the signature of the Fund Manager below, neither the Regional Water Board or the Local Oversight Program shall issue a corrective action directive or enforce an existing corrective action directive for the tank case until the board issues a decision on the closure of the tank case, unless one of the following applies:

- (A) The Regional Water Board or Local Oversight Program agency demonstrates to the satisfaction of the Fund Manager that there is an imminent threat to human health, safety, or the environment;
- (B) The Regional Water Board or Local Oversight Program agency demonstrates to the satisfaction of the Fund Manager that other site-specific needs warrant additional directives during the period that the State Board is considering case closure;
- (C) After considering responses to the Review Summary Report and other relevant information, the Fund Manager determines that case closure is not appropriate; or
- (D) The Regional Water Board or Local Oversight Program agency closes the tank case but the directives are necessary to carry out case-closure activities.

  
\_\_\_\_\_  
Kirk Larson, P.G.                      8/29/14  
Engineering Geologist                      Date  
Technical Review Unit  
(916) 341-5663

  
\_\_\_\_\_  
Robert Trommer, C.H.G.                      8/28/14  
Senior Engineering Geologist                      Date  
Chief, Technical Review Unit  
(916) 341-5684

\_\_\_\_\_  
BLANK  
Lisa Babcock, P.G. 3939, C.E.G. 1235                      Date  
Fund Manager

